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October 22, 2013

VIA ECF

Honorable Roanne L. Mann  
United States Magistrate Judge  
United States Courthouse  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Austin v. St. Luke's-Roosevelt Hospital Center, et al.  
12 Civ. 6155 (KAM) (RLM)

Dear Judge Mann:

On behalf of our clients, St. Luke's-Roosevelt Hospital Center and Noreen Millington ("Defendants"), I write to request an extension of time from October 23 to November 20, 2013, to file the stipulation of discontinuance. The reason for this request is that although the case is settled, the parties are still in the process of finalizing the settlement agreement. Last week, my colleague, Julie Sauer, sent Plaintiff's counsel, Felix Ngati, the proposed settlement agreement. To date, we have not received a signed copy of the agreement from Mr. Ngati nor have we heard from him to discuss the agreement. Ms. Sauer attempted to contact Mr. Ngati yesterday by phone and email to inquire about the statue of the agreement and seek Plaintiff's consent to Defendants' request for an extension of the deadline to file the stipulation of discontinuance, but she was unable to speak to him. Therefore, while I have no reason to believe that Plaintiff's counsel would object to this request, I cannot state that Plaintiff consents.

Respectfully submitted,

  
Rory J. McEvoy

cc: S. Felix Ngati, Esq. (via ECF and facsimile)  
Attorney for Plaintiff